

GREGORY W. RUTECKI, M.D. - August 12, 2011

143

1 what the report or decision was of -- of the medical
2 department?

3 A I do not. And -- and there was really no
4 change to my knowledge by the time I left in how
5 coverage was provided, and there was no virtual ICU.
6 So if there was a decision, I don't know what
7 eventuated after that decision.

8 Q Okay. After the presentation, did you
9 have any meetings with Dr. Weiss regarding any
10 comments or statements made during the presentation?

11 A Yes. We -- he told me that he presented
12 the information, whatever the --

13 Q Uh-huh.

14 A -- information was we discussed about
15 increasing coverage at the department of medicine
16 meeting.

17 Q Right. Did -- did he tell you what some
18 of the members said?

19 A I just got a sense, without him
20 identifying the individuals, that was not a
21 well-received proposition.

22 Q Okay. Did that concern you?

23 A Yes.

24 Q Okay. And why do you say that concerns

GREGORY W. RUTECKI, M.D. - August 12, 2011

144

1 you?

2 A Because I agreed with Dr. Weiss in our
3 conversations that it would be a very laudable goal
4 to increase attending coverage in some form or
5 fashion in the ICU.

6 Q Okay. Can you think of any reason why
7 doctor -- why Mount Carmel wouldn't follow
8 Dr. Weiss's recommendation?

9 MR. ARMSTRONG: Objection to the relevance
10 and speculation.

11 THE WITNESS: I could speculate. There's
12 a --

13 BY MR. PATMON:

14 Q Sure.

15 A It's sometimes impossible to follow
16 recommendations because you can say, "I'll recruit an
17 ICU specialist. I'll budget the money for an ICU
18 specialist," and there may not be one to recruit.

19 I've been in other communities, Canton,
20 Ohio, where we would have senior intensive care unit
21 fellows from The Cleveland Clinic come to Canton and
22 watch the unit at night, and there were no fellows
23 available because the fellows at Ohio State
24 University already had a --

GREGORY W. RUTECKI, M.D. - August 12, 2011

178

1 A Yes.

2 Q Okay. Do you have an understanding of
3 that statement?

4 A Yes.

5 Q Okay. What's your understanding of that
6 statement?

7 A They're just saying that night float was
8 designed because of the duty hour limits.

9 Q Right.

10 A And its design is not conducive in
11 educational -- from an educational perspective with
12 good education. And, additionally, it may not be
13 conducive to safety and patient care because you're
14 switching doctors multiple times. You have a
15 daytime, a nighttime, and stuff like that. So
16 they're saying they have questions about night float
17 because, even though it has to occur, it may not be
18 the best thing for education or patient care.

19 Q Right. And one of the reason they're
20 articulating is lack of direct supervision; right?

21 A Correct. Because there's -- the residents
22 do not have an attending physician in-house usually
23 when they're doing a night float. They have them
24 available by phone.

GREGORY W. RUTECKI, M.D. - August 12, 2011

181

1 direct supervision. So you understood -- did you --

2 MR. PATMON: Can you read back my
3 question? Now I've forgotten.

4 (Question read.)

5 BY MR. PATMON:

6 Q Do you understand that? When they say,
7 "lack of direct supervision," what they're saying is
8 --

9 A I understand what they mean. Yes.

10 Q Okay. What do they mean?

11 A The resident, in a typical night float, is
12 where the buck stops. That resident does not have a
13 more senior physician usually in the hospital. If
14 that resident wants further advice on a medically
15 complex issue, they have to attain it by phone rather
16 than with the person being there right to assist
17 them.

18 Q Okay. And that situation would apply if a
19 night float resident were treating patients in ICU
20 also; correct?

21 A Correct.

22 Q All right. We're going to be done with
23 this in just a second. Turn to page 59 of that
24 document.